

**FILED**

**JUL 11 2014**

**BUREAU OF REAL ESTATE**

By S. B. L.

Bureau of Real Estate  
320 W. 4<sup>th</sup> Street, Suite 350  
Los Angeles, CA 90013-1105

Telephone: (213) 576-6982

**BEFORE THE BUREAU OF REAL ESTATE**

**STATE OF CALIFORNIA**

\* \* \*

In the Matter of the Application of

KATYA BAKALINSKAYA,

Respondent.

No. H-39531 LA

**STIPULATION AND WAIVER**

(B&P 10100.4)

I, KATYA BAKALINSKAYA, ("Respondent") do hereby affirm that I have applied to the Bureau of Real Estate for a real estate salesperson license, and that to the best of my knowledge I have satisfied all of the statutory requirements for the issuance of the license, including, but not limited to, the payment of the fee therefor.

I acknowledge that by entering into this Stipulation and Waiver, I am stipulating that the Real Estate Commissioner has found grounds to justify the denial of the issuance of an unrestricted real estate salesperson license to me. I agree that there are grounds to deny the issuance of an unrestricted real estate salesperson license to me pursuant to California Business and Professions Code Sections 480(a), 480(c), 10177(a) and 10177(b) based the following criminal conviction:

2010 – Penal Code Sec. 550(a)(1) (Insurance Fraud), a misdemeanor

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1 I hereby request that the Real Estate Commissioner in his discretion issue a restricted real  
2 estate salesperson license to me under the authority of California Business and Professions Code  
3 Sections 10100.4 and 10156.5. I understand that any such restricted license will be issued  
4 subject to the provisions of and limitations of California Business and Professions Code Sections  
5 10156.6 and 10156.7.

6 I understand that by my signing of this Stipulation and Waiver, provided this Stipulation  
7 and Waiver is accepted and signed by the Real Estate Commissioner, the Real Estate  
8 Commissioner will not file a Statement of Issues based on the grounds herein, and I am waiving  
9 my right to a hearing and the opportunity to present evidence at the hearing to establish my  
10 rehabilitation in order to obtain an unrestricted real estate salesperson license.

11 I further understand that the following conditions, limitations, and restrictions will attach  
12 to a restricted real estate salesperson license issued by the Bureau of Real Estate pursuant hereto:

- 13 1. The license shall not confer any property right in the privileges to be exercised,  
14 including the right of renewal, and the Real Estate Commissioner may by appropriate  
15 order suspend the right to exercise any privileges granted under this restricted license  
16 in the event of:
  - 17 a. The conviction of Respondent (including a plea of nolo contendere) to a crime  
18 that bears a substantial relationship to Respondent's fitness or capacity as a real  
19 estate licensee; or
  - 20 b. The receipt of evidence that Respondent has violated provisions of the  
21 California Real Estate Law, the Subdivided Lands Law, Regulations of the Real  
22 Estate Commissioner, or conditions attaching to this restricted license.
- 23 2. Respondent shall not be eligible to apply for the issuance of an unrestricted real  
24 estate license nor the removal of any of the conditions, limitations, or restrictions  
25 attaching to the restricted license until two (2) years have elapsed from the date of  
26 issuance of the restricted license to Respondent.

1 3. With the application for license, or with the application for transfer to a new  
2 employing broker, Respondent shall submit a statement signed by the prospective  
3 employing broker on a form approved by the Bureau of Real Estate wherein the  
4 employing broker shall certify as follows:

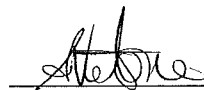
5 a. That broker has read the Decision which is the basis for the issuance of the  
6 restricted license; and

7 b. That broker will carefully review all transaction documents prepared by the  
8 restricted licensee and otherwise exercise close supervision over the licensee's  
9 performance of acts for which a license is required.

10 4. Respondent shall notify the Real Estate Commissioner in writing within 72 hours of  
11 any arrest by sending a certified letter to the Real Estate Commissioner at the Bureau  
12 of Real Estate, Post Office Box 137013, Sacramento, CA 95813-7013. The letter  
13 shall set forth the date of Respondent's arrest, the crime for which Respondent was  
14 arrested, and the name and address of the arresting law enforcement agency.  
15 Respondent's failure to timely file written notice shall constitute an independent  
16 violation of the terms of the restricted license and shall be grounds for the suspension  
17 or revocation of that license.

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19 6-19-14

20 Dated

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23 Amelia V. Vetrone, Counsel  
24 Bureau of Real Estate  
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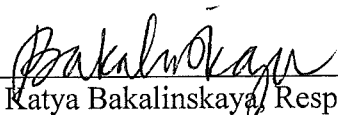
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1 I have read the Stipulation and Waiver, and its terms are understood by me and are  
2 agreeable and acceptable to me. I understand that I am waiving rights given to me by the  
3 California Administrative Procedure Act (including, but not limited to, California Government  
4 Code Sections 11504, 11506, 11508, 11509, and 11513), and I willingly, intelligently, and  
5 voluntarily waive those rights, including, but not limited to, the right to a hearing on a Statement  
6 of Issues at which I would have the right to cross-examine witnesses against me and to present  
7 evidence in defense and mitigation of the charges.

8 Respondent can signify acceptance and approval of the terms and conditions of this  
9 Stipulation and Waiver by faxing a copy of its signature page, as actually signed by Respondent,  
10 to the Bureau of Real Estate at the following telephone/fax number: (213) 576-6917.

11 Respondent agrees, acknowledges, and understands that by electronically sending to the Bureau  
12 of Real Estate a fax copy of his/her actual signature as it appears on the Stipulation and Waiver,  
13 that receipt of the faxed copy by the Bureau of Real Estate shall be as binding on Respondent as  
14 if the Bureau of Real Estate had received the original signed Stipulation and Waiver.

15  
16 6/16/2014  
17 Dated

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20 Katya Bakalinskaya, Respondent

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Therefore, IT IS HEREBY ORDERED that a restricted real estate salesperson license be issued to Respondent KATYA BAKALINSKAYA if Respondent has otherwise fulfilled all of the statutory requirements for licensure. The restricted salesperson license shall be limited, conditioned, and restricted as specified in the foregoing Stipulation and Waiver.

IT IS SO ORDERED JUN 23 2014

Real Estate Commissioner

By: JEFFREY MASON  
Chief Deputy Commissioner